

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2002-431

July 31, 2002

OFFICE OF THE PUBLIC ADVOCATE
AND RAYMOND SHADIS ET AL.
V. CENTRAL MAINE POWER COMPANY
Petitions to Initiate Proceedings Concerning
Central Maine Power Company's Potential
Sale of its Interest in Vermont Yankee Nuclear
Power Corporation to Entergy Vermont Yankee, LLC

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

We have received petitions from the Public Advocate and Raymond Shadis and 18 other persons asking the Commission to investigate the sale by the Vermont Yankee Nuclear Power Company (Vermont Yankee) of the Vermont Yankee power plant to Entergy Nuclear Vermont Yankee, LLC (Entergy), with particular focus on the requirement that all non-Vermont sponsors, including Central Maine Power Company (CMP), must assign to Entergy all rights to their share of any excess decommissioning funds. Both petitions ask the Commission to order CMP to refrain from executing the proposed Assignment of Rights to Excess Decommissioning Funds pending the Commission's investigation concerning excess decommissioning funds. We deny the petitioners' requests that the Commission restrain CMP from closing the sale, and deny the petitioners' request to open an investigation at this time. We issue our order in two parts. In this Part I, we state our decision to deny the requests made in the two petitions. In an Order Part II, to be issued shortly, we will describe our reasoning in reaching these decisions.

Dated at Augusta, Maine, this 31st day of July, 2002.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.